

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY DAMASCUS

UNCLAS STATE 176651

E.O. 11652: N/A

TAGS: BDIS SY

SUBJECT: PENNSYLVANIA MINING CO.

REF : DAMASCUS 2750, 2771

1. COMMERCE DISCUSSED PROBLEMS RAISED IN FIRST REFTEL AT LENGTH WITH MCGAVIN WHO REPORTED MCELROY IS NOW IN KUWAIT. LAWYER IDENTIFIED CONTRACT CAUSING PRIME CONCERN TO SARG MINPET AS CORRECT IN AMOUNT AND ITEMS CALLED FOR IN PARA 3 EMBTEL EXCEPT ITEM C IS TRACK TYPE D9H. COVERING L/C WAS E 956/805 VIA CHASE MANHATTAN WHICH EXPIRED 7/17/75. TERMS C AND F LATAKIA

2. MCGAVIN ADVISED THAT SOURCE WHICH PROMISED DELIVERY FOR JUNE SHIPMENT AFTER L/C OPENED IN MARCH FAILED TO MEET COMMITMENT. HE HAD ALTERNATIVE SOURCE WHICH COULD HAVE MADE JULY SHIPPING DEADLINE, BUT THIS UNWORKABLE NOW UNLESS L/C EXTENDED 60/90 DAYS. IN VIEW URGENT NEED OF PHOSPHATE CO FOR EQUIPMENT AND DAMAGE WHICH DELAY IN CHANGING SUPPLY SOURCE MUST CAUSE, WE SUGGEST MFA BE ADVISED TO RECOMMEND

90 DAY L/C EXTENSION. WE WILL THEN INSIST ON MCGAVIN'S NAMING HIS SUPPLIER FOR AVAILABILITY CONFIRMATION. HE
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HAS ALREADY IDENTIFIED HIS CHASE BANK OFFICER CONTACT.

3. MCGAVIN, WITHOUT BEING QUERIED, MENTIONED MINCOMMO JANUARY CONTRACT FOR 1,087,000 DOLLARS COVERED BY L/C 955/890 WHICH EXPIRED 5/31/75 BEFORE DELIVERIES COULD BE EFFECTED. THIS COVERED ACCORDING TO MCGAVIN:

- A) THREE TRACK TYPE MODEL D9H
- B) TWO CATERPILLAR DHK MODEL
- C) THREE CATERPILLAR 14G MODEL

MCGAVIN WILLING TO NAME ACTUAL SUPPLIER THIS EQUIPMENT IF MINCOMMO WILL AGREE EXTEND L/C. BELIEVE IT APPROPRIATE FOR EMBASSY TO ASK CLARIFICATION THIS ARRANGEMENT WITH RESULTING POSSIBILITY OF LEANING HARD ON MCGAVIN TO FUL-FILL ALL OBLIGATIONS OUTSTANDING.

4. MCGAVIN FINALLY INFORMED OF GENERAL NATURE DAMASCUS 2771. HE MENTIONED SERIOUS PROBLEMS WITH ROSS AND PROBABILITY THAT LATTER FIRM HAD PRESENTED FRAUDULENT DOCUMENTATION. SINCE LAVINO WAS INVOLVED UNDER L/C TRANSFERRED TO SUBJECT FIRM, USDOC HAS ASKED MCGAVIN TO CHECK HIS RECORDS AND REPORT BEFORE WE DIRECTLY APPROACH PHILA SHIPPING AGENT. KISSINGER

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